

EXHIBIT A

FREDSON, STATMORE, BITTERMAN LLC
 ANDREW L. STATMORE, ESQ.
 Attorney ID: 021671995
 200 BROADACRES DRIVE, SUITE 180
 BLOOMFIELD, NJ 07003
 Attorney for Plaintiff
 Our File No.: 26424

RECEIVED
 11.5.21
 A.S.

TRANELL SMITH,
 Plaintiff(s),

vs.

UNION 22 PLAZA, LLC, WALMART
 INC., JOHN DOE 1-10 and ABC CORP.
 1-10 (names being fictitious as true
 identities are unknown at this time),

Defendant(s).

SUPERIOR COURT OF NEW JERSEY
 LAW DIVISION: ESSEX COUNTY

DOCKET NO: ESX-L-8251-21

CIVIL ACTION

SUMMONS

From The State of New Jersey To The Defendant(s) Named Above: **Union 22 Plaza, LLC**

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$135.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf.

/s/ Michelle S. Smith

Clerk of the Superior Court

DATED: November 04, 2021

Name of Defendant to Be Served: Union 22 Plaza, LLC

Address of Defendant to Be Served: 820 Morris Tpk, Short Hills, NJ 07078

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FREDSON STATMORE BITTERMAN, LLC
NICHOLAS J. WALTMAN, ESQ
Attorney ID: 209342016
200 Broadacres Drive, Suite 180
Bloomfield, NJ 07003-3156
(973)777-8600
Attorney for Plaintiff
FILE # 26424

TRANELL SMITH,
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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: ESSEX COUNTY

DOCKET NO:

CIVIL ACTION

COMPLAINT AND
JURY DEMAND

Plaintiff, Tranell Smith, residing 60 Huntington Terrace, in the city of Newark, county of Essex, state of New Jersey, complaining of the Defendant(s) states as follows:

FIRST COUNT

1. On or about 12/23/2020, the Plaintiff, TRANELL SMITH, was on the Defendants' premises or property in the state of New Jersey located at or around 900 Springfield Rd. Union, NJ 07083.
2. At that time and place the Defendant(s) did either maintain, operate, own, control, manage or otherwise had a nexus with the aforesaid premises or property.
3. Upon information and belief, Defendant(s) transact business in Essex County, New Jersey.
4. As the result of the negligence of the Defendant(s) the Plaintiff was injured.
5. The aforesaid accident was caused wholly and solely by reason of the carelessness and negligence of the Defendant(s), their agents, servants and/or employees in the creation, maintenance, operation, ownership, control, management, construction or nexus with the aforesaid premises and property.
6. As a result of the negligence aforesaid, Plaintiff, TRANELL SMITH, suffered severe injuries of both temporary and permanent nature, endured great pain and suffering, will require to

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seek and obtain medical care and treatment in an effort to relief pain and cure injuries and was otherwise incapacitated from activities.

WHEREFORE, Plaintiff demands judgment against the defendants jointly, severally or in the alternative for damages besides interest and cost of suit.

TRIAL DESIGNATION

Andrew L. Statmore is hereby designated as trial counsel on behalf of Plaintiff.

JURY DEMAND

Plaintiff demands trial by jury.

CERTIFICATION

I hereby certify pursuant to Rule 4:5-1 that the matter in controversy is not the subject of any other action or arbitration proceeding, nor is any other action or arbitration proceeding contemplated, and no other party should be joined in this action at this time.

DEMAND FOR PRODUCTION OF DOCUMENTS

PLEASE TAKE NOTICE that pursuant to R.4:18-1, plaintiff hereby demands that you produce the following documents within 30 days from the date hereof which are in this defendant's care, custody, control, possession and/or that of their counsel.

This request is intended to cover all documents that this party is authorized to retrieve including financial documents and/or medical documents.

As used in this request, the term "document" means, without limitation, the following items whether printed or recorded or reproduced by any other mechanical process or written or produced by hand:

Agreements, communications, state and federal governmental hearings and reports, correspondence, telegrams, memorandum, summaries or records of telephone conversations,

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summaries or records of personal conversations or interviews, diaries, graphs, reports, notebooks, note charts, plans, drawings, sketches, maps, summaries or other records of meetings or

conferences, summaries or reports of investigations or negotiations, opinions or reports of consultation, photographs, motion picture film, brochures, pamphlets, advertisements, circulars, motion, releases, drafts, letters, any marginal comments appearing on any and all documents and all other writings.

These requests are continuing and include documents which may hereafter come into your actual or constructive possession, custody or control.

If a document is responsive to more than one request, it is to be noted as to which request(s) the document applies.

If you believe that any of the following requests call for the production of material to which a claim or privilege applies, for each document state:

- A. Identify the document;
- B. State the claim or privilege being relied upon not to produce it;
- C. State the date and the subject matter of the document;
- D. State the name of the person who prepared the document;
- E. State the name of the person for whom the document was intended.

The purpose of the above is to properly identify the document so the judge who hears a motion will have appropriate reference.

REQUESTS

1. Any and all written statements and/or transcription from any recorded statement(s), recording or any oral statement(s), and summaries of all interviews directly or indirectly concerning the above captioned litigation made by any of the parties to this litigation or of any

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witnesses to the events surrounding the subject matter accident or occurrence or the events which immediately followed thereafter.

2. All photographs, still pictures, motion pictures, video tapes, and/or any other visual depiction relating to any product, injury, location and/or other item involved in his litigation.

3. Any work orders, invoices and/or other documents relating any way to any product, service, purchase, or maintenance or any item involved in this litigation.

4. Copies of any textbook, papers, safety codes, findings and/or reports of any governmental agency or other authority with respect to the any alleged defects and/or negligent condition alleged in this litigation.

5. Copies of all written accident or investigation reports concerning this accident or occurrence.

6. Any and all copies of reports, correspondence, memoranda and writings rendered by any expert witness employed or consulted by this answering party or anyone acting on this answering party's behalf concerning this matter.

7. The complete investigative file prepared by this answering party, this party agents, servants and employees, or this party's insurance carrier.

8. Copies of any and all medical reports, records and bills generated as a result of the injuries sustained in this matter by this answering party, including all hospital and emergency rooms records.

9. Copies of all documentation evidencing a claim for lost wages.

10. A copy of the Declaration Page of the policy of insurance that insured this defendant at the time of the occurrence which gives rise to the within litigation.

11. Copies of any and all documentation other than that supplied above on which this defendant will rely at the time of trial.

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12. Set forth any other litigation that this defendant has been involved in with respect to the issues raised by the plaintiff's complaint. For each set forth:

- A. The caption of the case, the location where the case pended, and a docket or identifying index number;
- B. The names of the attorneys who represented each of the parties;
- C. Any allegations as to negligence and/or warranty;
- D. Describe the occurrence of the event which gave rise to the litigation;
- E. Describe the outcome of each allegation of the plaintiff(s) in each of the litigations.

**DEMAND FOR ANSWERS TO FORM C AND C1 UNIFORM
INTERROGATORIES AND SUPPLEMENTAL INTERROGATORIES**

PLEASE TAKE NOTICE that pursuant to R.4:17-1(b)(ii) plaintiff demands certified answers to Form C and C(1) of the Uniform Interrogatories set forth in the Appendix to the Rules Governing Civil Practice and the following supplemental interrogatories:

1. If there are multiple defendants state each defendant's relationship to the other(s).
2. Do you, or does any person acting on your behalf, have any reports concerning the occurrence of plaintiff's injury? YES ☐ NO ☐

If the answer is "YES", state: (a) the full name, present or last known address and telephone number of the person making it; (b) the date made; (c) the purpose of each report, including, but not limited to, investigatory or accident report; (d) the field of expertise and relationship to you of the person making it; (e) whether or not it was made in the regular course of business; (f) the findings; (g) whether it was written or oral; and (h) if written, attach a copy hereto, and if oral, set forth the substance thereof.

3. If the defendant disputes the accuracy or truthfulness of any statement in plaintiff's answers to interrogatories, or testimony at the deposition, regarding the manner or happening of the

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accident, state specifically which statements are disputed, what defendant claims is the true stated facts, and the basis of the defendant's knowledge or belief.

4. State if this defendant is aware of any accidents or injuries at the place of plaintiff's accident, within a ten year period prior to the plaintiff's accident and if so state the date, name of the person involved, a description of the accident, the type of injury involved, and if an attorney represented that individual.
5. If plaintiff's claim involves an injury on property, set forth the name, address, and employer of every janitor, superintendent, or other person charged with maintaining the premises where the plaintiff was injured.
6. If plaintiff's claim involves an injury on property, state how frequently the place where plaintiff was injured was inspected prior to the date of the accident.
7. If plaintiff suffered an injury as a result of ice and/or snow, state how long the condition existed prior to the date of the injury, and last time that the snow or ice was removed from the area where the accident occurred.
8. Identify every document that this defendant will be introducing at the time of trial. Describing each sufficiently so as to be the subject of a Notice To Produce. In lieu of description, attach a copy of each document.
9. If the defendants contend in any way that the injuries claimed by plaintiff to have been caused by this incident were in fact not caused or in any way related to this incident, state fully and in detail each and every fact upon which defendants will rely in support of said contention. Annex hereto copies of all medical records or other documents upon which defendants will rely in support of said contention.
10. If defendants contend that plaintiff sustained physical injuries at any time prior or subsequent to the subject accident, please state:

- a. The date of any and all said injuries; and

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b. The nature of any said injuries.

FREDSON STATMORE BITTERMAN, LLC

BY: 
NICHOLAS J. WALTMAN, ESQ

Dated: October 28, 2021

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Civil Case Information Statement

Case Details: ESSEX | Civil Part Docket# L-008251-21

Case Caption: SMITH TRANELL VS UNION 22 PLAZA, LLC

Case Initiation Date: 11/02/2021

Attorney Name: NICHOLAS J WALTMAN

Firm Name: FREDSON STATMORE BITTERMAN LLC

Address: 200 BROADACRES DR STE 180

BLOOMFIELD NJ 07003

Phone: 9737778600

Name of Party: PLAINTIFF : Smith, Tranell

Name of Defendant's Primary Insurance Company
(if known): None

Case Type: PERSONAL INJURY

Document Type: Complaint with Jury Demand

Jury Demand: YES - 6 JURORS

Is this a professional malpractice case? NO

Related cases pending: NO

If yes, list docket numbers:

Do you anticipate adding any parties (arising out of same transaction or occurrence)? NO

Are sexual abuse claims alleged by: Tranell Smith? NO

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

Do parties have a current, past, or recurrent relationship? NO

If yes, is that relationship:

Does the statute governing this case provide for payment of fees by the losing party? NO

Use this space to alert the court to any special case characteristics that may warrant individual management or accelerated disposition:

Do you or your client need any disability accommodations? NO
If yes, please identify the requested accommodation:

Will an interpreter be needed? NO
If yes, for what language:

Please check off each applicable category: Putative Class Action? NO Title 59? NO Consumer Fraud? NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b)

11/02/2021
Dated

/s/ NICHOLAS J WALTMAN
Signed

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ESSEX COUNTY - CIVIL DIVISION
SUPERIOR COURT OF NJ
465 MARTIN LUTHER KING JR BLVD
NEWARK NJ 07102

TRACK ASSIGNMENT NOTICE

COURT TELEPHONE NO. (973) 776-9300
COURT HOURS 8:30 AM - 4:30 PM

DATE: NOVEMBER 02, 2021
RE: SMITH TRANELL VS UNION 22 PLAZA, LLC
DOCKET: ESX L -008251 21

THE ABOVE CASE HAS BEEN ASSIGNED TO: TRACK 2.

DISCOVERY IS 300 DAYS AND RUNS FROM THE FIRST ANSWER OR 90 DAYS
FROM SERVICE ON THE FIRST DEFENDANT, WHICHEVER COMES FIRST.

THE PRETRIAL JUDGE ASSIGNED IS: HON STEPHEN L. PETRILLO

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 002
AT: (973) 776-9300 EXT 56908.

IF YOU BELIEVE THAT THE TRACK IS INAPPROPRIATE YOU MUST FILE A
CERTIFICATION OF GOOD CAUSE WITHIN 30 DAYS OF THE FILING OF YOUR PLEADING.
PLAINTIFF MUST SERVE COPIES OF THIS FORM ON ALL OTHER PARTIES IN ACCORDANCE
WITH R.4:5A-2.

ATTENTION:

ATT: NICHOLAS J. WALTMAN
FREDSON STATMORE BITTERMAN LLC
200 BROADACRES DR
STE 180
BLOOMFIELD NJ 07003

ECOURTS